

APPENDIX

CONFLICT OF INTEREST CODE

OF THE

SWEETWATER AUTHORITY

(Amended December 8, 2004)

EXHIBIT "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Authority Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18701(b), are NOT subject to the Authority's Code but are subject to the disclosure requirements of the Act. (Government Code Section 87200 et seq.). [Regs. § 18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are officials who manage public investments¹:

Members of the Board of Directors

General Manager

Treasurer

Director of Finance

Financial Consultants

¹ Individuals holding one of the above-listed positions may contact the FPPC for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The FPPC makes the final determination whether a position is covered by § 87200.

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED EMPLOYEES'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Administrative Aide	5
Administrative Services Director	5
Board Secretary	5
Chief Inspector	6
Customer Service Manager	6
Customer Service Supervisor (ALL)	6
Director of Distribution	6
Director of Engineering	3, 6
Director of Water Quality	3, 6
Engineering Manager	3, 6
Finance Administrator	6
General Counsel	1, 2
Human Resources Coordinator	6
Information Systems Director	6
Operations Manager	2, 3, 5
Purchasing Agent	5
Superintendent of Construction	6
Superintendent of Maintenance	6
Systems Analyst	6

DESIGNATED EMPLOYEES'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Water Quality Superintendent

6

Consultant²

²

Consultants shall be included in the list of Designated Employees and shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The General Manager may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements described in this Section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The General Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

EXHIBIT "B"

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of investments, business entities, sources of income, or real property which the Designated Employee must disclose for each disclosure category to which he or she is assigned.

Category 1: All investments and business positions in business entities, and sources of income, that are located in, do business in, or own real property within the jurisdiction of the Authority.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the Authority.

Category 3: All investments and business positions in, and sources of income from, business entities that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the Authority.

Category 4: All investments and business positions in, and sources of income from, business entities that are banking, savings and loan, or other financial institutions.

Category 5: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the Authority.

Category 6: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Employee's Department.

RESOLUTION NO 04-20

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE SWEETWATER AUTHORITY
AMENDING THE APPENDIX OF THE CONFLICT OF INTEREST CODE PURSUANT TO
THE POLITICAL REFORM ACT OF 1974**

WHEREAS, the Legislature of the State of California enacted the Political Reform Act of 1974, Government Code Section 81000 *et seq.* (the "Act"), which contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants of Sweetwater Authority (the "Authority") and requires all public agencies to adopt and promulgate a conflict of interest code; and

WHEREAS, the Board of Directors adopted a Conflict of Interest Code (the "Code") which was amended on August 28, 2002, in compliance with the Act; and

WHEREAS, subsequent changed circumstances within the Authority have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update the Appendix of the Authority's Code; and

WHEREAS, the potential penalties for violation of the provisions of the Act are substantial and may include criminal and civil liability, as well as equitable relief which could result in the Authority being restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

WHEREAS, notice of the time and place of a public meeting on, and of consideration by the Board of Directors of, the proposed amended Appendix was provided each affected designated employee and publicly posted for review at the offices of the Authority; and

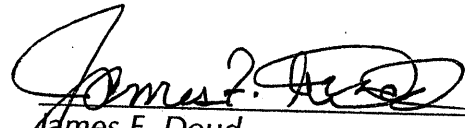
WHEREAS, a public meeting was held upon the proposed amended Appendix at a regular meeting of the Board of Directors on December 8, 2004, at which all present were given an opportunity to be heard on the proposed amended Appendix.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Sweetwater Authority that the Board of Directors does hereby adopt the proposed amended Appendix of the Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the Administrative/Board Secretary and available to the public for inspection and copying;

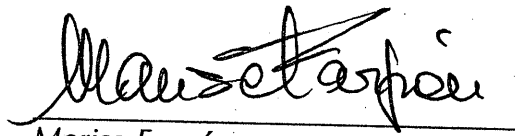
BE IT FURTHER RESOLVED that the said amended Appendix shall be submitted to the Board of Supervisors of the County of San Diego for approval and said Appendix shall become effective 30 days after the Board of Supervisors approves the proposed amended Appendix as submitted.

PASSED AND ADOPTED at a regular meeting of the Governing Board of Sweetwater Authority held on the 8th day of December, 2004, by the following vote to wit.

AYES: Directors Alkire, Beauchamp, Doud, Pocklington, and Welsh
NOES: None
ABSTAIN: None
ABSENT: Inzunza

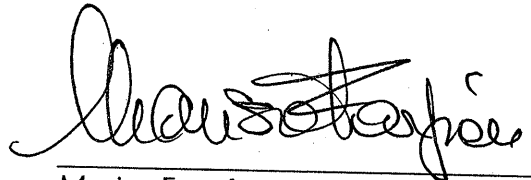

James F. Doud,
Chairman, Board of Directors
Sweetwater Authority

ATTEST:


Marisa Farpón,
Secretary, Board of Directors
Sweetwater Authority

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

I, Marisa Farpón, Board Secretary of Sweetwater Authority, do hereby certify that this is a true and correct copy of Resolution No. 04-20 duly adopted by the Governing Board of Sweetwater Authority at a regular Board meeting held the 8th day of December, 2004.

A handwritten signature in black ink, appearing to read 'Marisa Farpón', written over a horizontal line.

Marisa Farpón
Secretary of the Governing Board

LEGISLATIVE VERSION
(SHOWS CHANGES MADE)
APPENDIX
CONFLICT OF INTEREST CODE
OF THE
SWEETWATER AUTHORITY

(Amended ~~August 28, 2002~~ December 8, 2004)

EXHIBIT "A"

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Administrative Aide	5
<u>Administrative Services Director</u>	5
Board Secretary	5
Business and Support Services Director	3, 5
Chief Engineer <u>Director of Engineering</u>	3, 6
Chief Inspector	6
Communications Director	6
Customer Accounts/Service Administrator <u>Manager</u>	6
Customer Accounts Supervisor	6
Customer Service Supervisor <u>(ALL)</u>	6
Data Processing Systems Manager <u>Analyst</u>	6
Deputy Chief Engineer <u>Engineering Manager</u>	3, 6
Director of Distribution	6
Director of Water Quality	3, 6
Finance Administrator	6
General Counsel	1, 2
Human Resources Coordinator	6
Human Resources Director	6
Information Systems Manager <u>Director</u>	6

<u>DESIGNATED EMPLOYEES'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Operations Manager	2, 3, 5
Purchasing Agent	5
Superintendent of Construction	6
Superintendent of Maintenance	6
<u>Water Quality Superintendent</u>	<u>6</u>
Consultant ²	

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Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the Authority.

Category 3: All investments and business positions in, and sources of income from, business entities that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the Authority, ~~plan to engage in such activities within the jurisdiction of the Authority within the next year, or have engaged in such activities within the jurisdiction of the Authority within the past two (2) years.~~

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